

ORDINANCE NO. 2008-24

AN ORDINANCE, of the City Council of the City of Wenatchee, Washington, authorizing condemnation of property for the creation of Riverside Drive, a public roadway.

WHEREAS, the City of Wenatchee and the inhabitants thereof are in need of a public roadway over and across multiple parcels of real property owned by private landowners; and

WHEREAS, it is anticipated that the new public roadway will be called Riverside Drive; and

WHEREAS, efforts have been made to obtain the real property necessary to create Riverside Drive, including having the real property appraised and attempting to negotiate reasonable amounts of compensation to be paid for the real property to be acquired; and

WHEREAS, in the event the negotiation efforts are not successful in securing an acquisition of all of the real property necessary for Riverside Drive, it is appropriate that the City pursue condemnation of the real property; and

WHEREAS, the acquisition of the real property is for the public use and is necessary to create Riverside Drive.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WENATCHEE as follows:

SECTION I

NEED FOR PROPERTY

The public health, safety, necessity and convenience require that the City acquire additional real properties for the creation of a public roadway, and that the real properties identified on the description attached hereto marked as Exhibit "A" and depicted on the map attached hereto marked as Exhibit "B", is necessary for public use. Exhibits "A" and "B" are incorporated herein by this reference.

SECTION II

CONDEMNATION

The real property described on Exhibit "A" and depicted on Exhibit "B" shall be condemned, appropriated, taken and damaged for the purposes of creating a public roadway, subject to the City making or paying just compensation to the owners thereof in the manner provided by law, with said payment of just compensation being made from the City's General Fund.

SECTION III

AUTHORITY OF CITY ATTORNEY

The City Attorney is hereby authorized and directed to begin and prosecute the proceedings provided by law to condemn, appropriate and take the real property necessary to carry out the provisions of this Ordinance, and is further authorized to take all action necessary to acquire the real property required for the creation of the public roadway.

SECTION IV

SEVERABILITY

If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall have no effect on any other section, sentence, clause or phrase of this Ordinance.

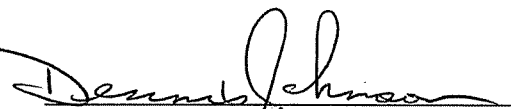
SECTION V

EFFECTIVE DATE

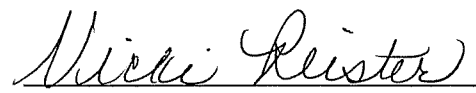
This Ordinance shall take effect and be in full force thirty (30) days after its passage and publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF WENATCHEE at a regular meeting thereof, this 13 day of Nov., 2008.

CITY OF WENATCHEE, a municipal
Corporation

By: 
DENNIS JOHNSON, Mayor

ATTEST:

By: 
VICKI REISTER, City Clerk

APPROVED:


By: 
STEVE D. SMITH, City Attorney

EXHIBIT A
Right of Way
1 Fifth Street – Riverview Center
Assessor No. 22-20-03-861-006, 22-20-03-861-007, 22-20-03-861-008

A portion of Lots 1, 2, and 3, City of Wenatchee Short Plat No. 1688, Chelan County, Washington, recorded under Auditor's file number 340423 located the Northeast quarter of Section 3, Township 22 North, Range 20 East of the Willamette Meridian, more particularly described as follows:

Beginning at the Northeast corner of Lot 3, of said City of Wenatchee Short Plat #1688, thence North 29°21'16" West, along the Northerly line of Lot 3, a distance of 8.85 feet to the True Point of Beginning; thence North 29°21'16" West for a distance of 96.04 feet; thence North 64°48'58" West for a distance of 41.52 feet; thence 102.11 feet, along a non-tangent curve to the right having a radius of 90.03 feet, a central angle of 64°59'00", with a chord bearing of North 32°19'22" West for a chord distance of 96.72 feet to the Southerly right of way of 5th Street; thence South 60°31'49" West along the Southerly right of way of 5th Street, for a distance of 89.69 feet; thence South 58°56'58" East for a distance of 46.98 feet; thence 92.86 feet, along a non-tangent curve to the left having a radius of 170.05 feet, a central angle of 31°17'19", with a chord bearing of South 49°38'14" East for a chord distance of 91.71 feet; thence South 64°48'58" East for a distance of 83.84 feet; Thence 34.77 feet, along a non-tangent curve to the right having a radius of 105.03 feet, a central angle of 18°57'59", with a chord bearing of South 55°19'39" East for a chord distance of 34.61 feet to the True Point of Beginning.

EXHIBIT A

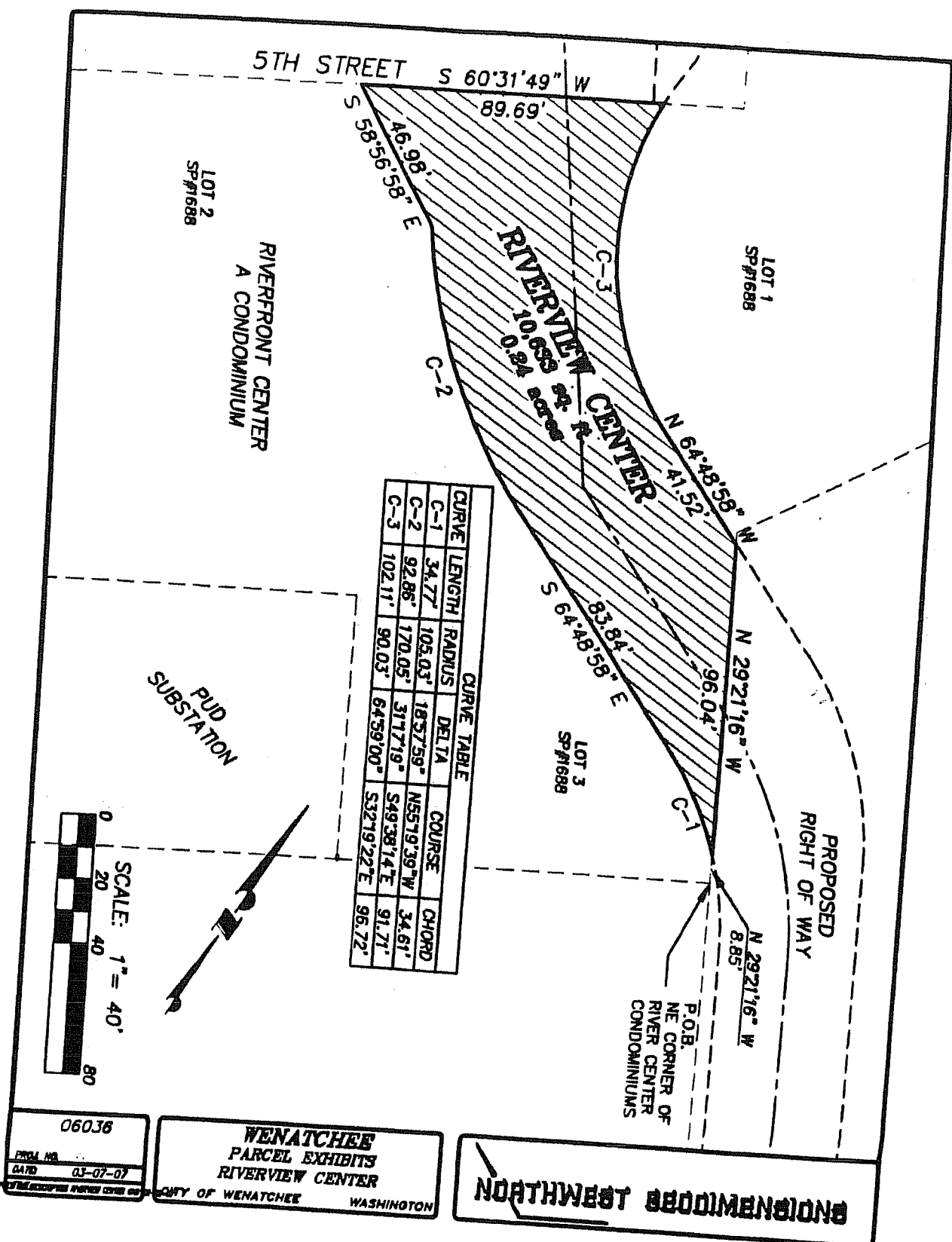


EXHIBIT B